

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN DIVISION

UNITED STATES OF AMERICA

v.

JORGE ZAMORA-QUEZADA

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CRIMINAL NO.: 7:18-CR-00855-1

DEFENDANT’S MOTION FOR JURY DETERMINATION OF FORFEITURE

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, Jorge Zamora Quezada, Defendant, by and through his counsel, and respectfully requests, pursuant to Rule 32.2(b)(5)(A), Federal Rules of Criminal Procedure, that the jury be retained to determine forfeitability in the event of a conviction, and that the jury panel be questioned during *voir dire* to determine their qualifications to determine forfeitability. A defendant has a statutory right under Rule 32.2(b)(5)(A), which Dr. Zamora invokes, to have the jury retained to determine forfeitability upon request. *See United States v. Davis*, 177 F. Supp. 2d 470, 482 (E.D. Va. 2001), *United States v. Hively*, 437 F.3d 752, 763 (8th Cir. 2006).

Respectfully submitted,

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**ATTORNEYS FOR DEFENDANT
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CERTIFICATE OF CONFERENCE

I, Tomas Tijerina, certify that on the 27th day of November 2018, I attempted to consult with Assistant U.S. Attorney Andrew Swartz regarding this motion. At the time of the filing of this Motion counsel for Defendant was unsuccessful in communicating with him.

/s/ Tomas F. Tijerina
TOMAS F. TIJERINA

CERTIFICATE OF SERVICE

On November 27, 2018, this request was served on Assistant U.S. Attorney Andrew Swartz via ECF.

/s/ Tomas F. Tijerina
TOMAS F. TIJERINA